

Message Text

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C O N F I D E N T I A L SECTION 01 OF 02 GENEVA 02488

E.O. 11652: GDS
TAGS: UNHRC, SHUM
SUBJECT: 34TH HUMAN RIGHTS COMMISSION: HUMAN RIGHTS
MACHINERY IMPROVEMENTS AT HRC

1. UNDER GA RES 32/130, THE HRC IS UNDER A SPECIFIC
MANDATE TO CONDUCT AN OVERALL ANALYSIS OF THE ALTERNATIVE
APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS
SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN
RIGHTS AND FUNDAMENTAL FREEDOMS IN THE LIGHT OF THE
CONCEPTS CONTAINED IN RES. 32/130. THIS WILL INCLUDE THE
RELATIONSHIP BETWEEN CIVIL AND POLITICAL, AND ECONOMIC,
SOCIAL AND CULTURAL RIGHTS, AS WELL AS THE QUESTION OF
MACHINERY AND COORDINATION OF ACTIVITIES IN THE UN
SYSTEM. SUCH AN EXERCISE IS BOUND TO CONTRIBUTE--
NEGATIVELY OR POSITIVELY--TO THE PROCESS OF BUILDING A
NEW CONSENSUS ON THE UN'S ROLE IN SECURING HUMAN RIGHTS,
TO HAVE AN IMPORTANT PHILOSOPHICAL AND IDEOLOGICAL
OVERTONE, AND TO HAVE GREAT IMPACT ON THE PRIORITIES
THAT WILL BE SET BY THE UN IN THE FIELD OF HUMAN RIGHTS
DURING THE NEXT FEW YEARS.

2. OUR CONSULTATIONS TO DATE INDICATE THAT THE
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CO-SPONSORS OF RES. 32/130 HAVE NOT YET WORKED OUT THEIR
OWN IDEAS FOR CONDUCTING THE OVERALL ANALYSIS. THEY
HAVE BEEN RELATIVELY OPEN IN THEIR DISCUSSIONS WITH
INTERESTED DELEGATES IN SEARCHING FOR IDEAS AND SEEKING
CONSULTATIONS ON THE BEST MEANS FOR APPROACHING THE
"OVERALL ANALYSIS." THE IRANIAN DELEGATION IS TAKING
THE LEAD IN SETTING UP A SMALL GROUP FOR INFORMAL

CONSULTATIONS ON RES 32/130. THIS GROUP WILL BE COMPOSED OF CO-SPONSORS OF 32/130 AS WELL AS SOME WESTERN DELEGATIONS WHICH SUPPORTED THE RESOLUTION AT THE GA. THE GROUP WILL INCLUDE IRAN, INDIA, YUGOSLAVIA, AS WELL AS SWEDEN AND AUSTRALIA. THE MAIN FUNCTION OF THIS GROUP WILL BE TO EXCHANGE IDEAS ON AN INFORMAL BASIS AND TO PROMOTE THE MAXIMUM POSSIBLE UNDERSTANDING AND COOPERATION OUTSIDE THE MORE STRUCTURED MEETINGS. THE COMMISSION ITSELF HAS ALSO SET UP AN INFORMAL WORKING GROUP WHICH WILL MEET ON A REGULAR BASIS STARTING IN THE THIRD WEEK OF THE SESSION AFTER THE FORMAL INTRODUCTION OF AGENDA ITEM 11, UNDER WHICH RES. 32/130 WILL BE CONSIDERED.

3. OUR TALKS WITH VARIOUS DELEGATIONS AND A DISCUSSION BETWEEN DEPUTY ASSISTANT SECRETARY DALLEY AND MEHDI EHSASSI, IRANIAN MINISTRY OF FOREIGN AFFAIRS, INDICATE THAT THE APPROACH TO THE OVERALL ANALYSIS IS ONE OF CAUTION AND LONG-TERM STUDY. THIS IS THE RESULT OF SOMEWHAT CONFLICTING GOALS ON THE PART OF THE VARIOUS CO-SPONSORS OF 32/130. THE MODERATES SUCH AS IRAN AND INDIA APPEAR TO HAVE A GENUINE DESIRE TO CONTRIBUTE TO IMPROVEMENT IN THE HUMAN RIGHTS FUNCTIONS AND ACTIVITIES IN UN BODIES AND WISH TO GIVE CAREFUL ATTENTION TO THE SUBJECT. OTHERS, SUCH AS CUBA, WISH TO SEE ALL IDEAS ON IMPROVED MACHINERY AND GREATER FOCUS ON HUMAN
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RIGHTS PUT AS FAR IN THE BACKGROUND AS POSSIBLE WHILE AT THE SAME TIME PROMOTING ECONOMIC RIGHTS AT THE EXPENSE OF CIVIL AND POLITICAL RIGHTS. THE IRANIANS HAVE MENTIONED THE POSSIBILITY OF SETTING AN INTER-SESSIONAL WORKING GROUP TO CARRY OUT THE OVERALL ANALYSIS AND TO PREPARE THE PRELIMINARY REPORT WHICH IS TO BE TRANSMITTED TO THE 33RD GA. THERE IS ALSO TALK OF A SPECIAL SESSION OF THE HRC. WHILE THERE IS NO AGREEMENT YET ON THE BEST MEANS OF CARRYING OUT THE STUDY, THERE SEEMS TO BE AGREEMENT THAT THE TASK SHOULD NOT SIMPLY BE ASSIGNED TO THE SECRETARIAT AND THAT THE ANALYSIS SHOULD BE CARRIED OUT WITH THE MAXIMUM PARTICIPATION OF GOVERNMENT DELEGATIONS.

4. WESTERN DELEGATIONS HAVE BEEN EMPHASIZING THE POINT THAT WHILE THE OVERALL ANALYSIS IS IMPORTANT IT SHOULD NOT BE USED AS AN EXCUSE TO WITHHOLD ACTION ON VARIOUS PROPOSALS DEALING WITH IMPROVEMENTS IN THE HUMAN RIGHTS MACHINERY. WE HAVE ARGUED THAT SOME IMPROVEMENTS NOW IN HUMAN RIGHTS MACHINERY WILL IN FACT CONTRIBUTE TO THE SUCCESS OF THE OVERALL ANALYSIS. THUS THE DOOR CAN BE LEFT OPEN FOR ESTABLISHMENT OF THE POST OF HIGH

COMMISSIONER AT AN APPROPRIATE TIME.

5. PROPOSALS WHICH ARE BEING CIRCULATED TO DATE INCLUDE (1) THE INDIAN PROPOSAL FOR IMPROVED NATIONAL MACHINERY, (2) A JORDANIAN PROPOSAL FOR HOLDING OF TWO YEARLY SESSIONS OF THE HUMAN RIGHTS COMMISSION (TEXT TRANSMITTED GENEVA 2451). (3) A CANADIAN PROPOSAL FOR CREATION OF TWO NEW SUBCOMMISSIONS, ONE FOR PROMOTION OF HUMAN RIGHTS AND ONE FOR PROTECTION OF HUMAN RIGHTS, AND (4) AN INFORMAL NIGERIAN PROPOSAL FOR CREATION OF A COORDINATOR FOR HUMAN RIGHTS IN THE OFFICE OF THE

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C O N F I D E N T I A L SECTION 02 OF 02 GENEVA 02488

SECRETARY-GENERAL (GENEVA 2316).

6. USDEL BELIEVES WE SHOULD START SORTING OUT THE LARGE NUMBER OF PROPOSALS WHICH HAVE BEEN DISCUSSED OVER THE PAST FEW YEARS IN VARIOUS UN FORA. (MANY OF THESE IDEAS ARE CONTAINED IN DOCUMENTS SUBMITTED UNDER AGENDA ITEM 11--E/CN.4/1273 AND ADD.1 AND ADD.2.) IN ADDITION TO EVENTUAL ESTABLISHMENT OF THE HIGH COMMISSIONER WE WOULD FAVOR SOME ADDITIONAL MEASURES SUCH AS (1) UP-GRADING THE DIVISION OF HUMAN RIGHTS TO A DEPARTMENT OF HUMAN RIGHTS, (2) PROMOTING INCREASED USE OF THE GOOD OFFICES ROLE OF THE SYG AND INCLUDING THE SUGGESTION THAT THE BUREAU OR THE CHAIRMAN OF THE HUMAN RIGHTS COMMISSION BE GIVEN AN INTERSESSIONAL GOOD OFFICES ROLE. (3) CONTINUED EMPHASIS ON ESTABLISHMENT OF REGIONAL COMMISSIONS, (4) CONSIDERATION OF IMPROVEMENTS IN THE HRC AGENDA AND THE TIMING OF THE MEETINGS OF THE SUBCOMMISSION AND THE HRC. (5) SUPPORT OF (TWO ANNUAL

SESSIONS OR) SPECIAL SESSIONS OF THE HRC.

7. IN OUR VIEW NONE OF THE ABOVE PROPOSALS SHOULD
HAVE TO AWAIT THE COMPLETION OF THE "OVERALL ANALYSIS"
AND ALL HAVE SOME CHANCE FOR APPROVAL. WE WILL REPORT
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FURTHER ON THESE AND OTHER PROPOSALS AS THE CONSULTATIONS
CONTINUE. VANDEN HEUVEL

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